

House File 870 - Enrolled

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HOUSE FILE 870

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1 3 AN ACT
1 4 RELATING TO THE APPLICABILITY OF MOTOR VEHICLE FINANCIAL
1 5 RESPONSIBILITY PROVISIONS TO SPECIAL MOBILE EQUIPMENT AND
1 6 PROVIDING AN EFFECTIVE DATE.

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1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 10 Section 1. Section 321A.1, subsections 3 and 5, Code 2005,
1 11 are amended to read as follows:

1 12 3. JUDGMENT. A judgment which has become final by
1 13 expiration without appeal during the time within which an
1 14 appeal might have been perfected, or a judgment if an appeal
1 15 from the judgment has been perfected, which has not been
1 16 stayed by the execution, filing and approval of a bond as
1 17 provided in rule of appellate procedure 6.7(1), or a judgment
1 18 which has become final by affirmation on appeal, rendered by a
1 19 court of competent jurisdiction of a state or of the United
1 20 States, upon a cause of action arising out of the ownership,
1 21 maintenance, or use of a motor vehicle, as defined in this
1 22 section, for damages, including damages for care and loss of
1 23 services, because of bodily injury to or death of a person, or
1 24 for damages because of injury to or destruction of property,
1 25 including the loss of use of property, or upon a cause of
1 26 action on an agreement of settlement for such damages.

1 27 5. MOTOR VEHICLE. "Motor vehicle" means every vehicle
1 28 which is self-propelled, but not including vehicles known as
1 29 trackless trolleys which are propelled by electric power
1 30 obtained from overhead trolley wires, ~~but~~ and not operated
1 31 upon rails. The term "car" or "automobile" shall be
1 32 synonymous with the term "motor vehicle". "Motor vehicle"
1 33 does not include special mobile equipment as defined in this
1 34 section.

1 35 Sec. 2. Section 321A.1, Code 2005, is amended by adding
2 1 the following new subsection:
2 2 NEW SUBSECTION. 12A. SPECIAL MOBILE EQUIPMENT. "Special
2 3 mobile equipment" means every vehicle not designed or used
2 4 primarily for the transportation of persons or property and
2 5 incidentally operated or moved over the highways, including
2 6 road construction or maintenance machinery, ditch-digging
2 7 apparatus, and implements of husbandry as defined in section
2 8 321.1, subsection 32. This description does not exclude other
2 9 vehicles which are within the general terms of this
2 10 subsection.

2 11 Sec. 3. Section 321A.6, Code 2005, is amended by adding
2 12 the following new subsection:

2 13 NEW SUBSECTION. 5. To the operator or owner of special
2 14 mobile equipment.

2 15 Sec. 4. IMPLEMENTATION. The department may adopt rules
2 16 pursuant to chapter 17A as necessary to implement and
2 17 administer this Act.

2 18 Sec. 5. EFFECTIVE DATE. This Act, being deemed of
2 19 immediate importance, takes effect upon enactment.

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2 24 CHRISTOPHER C. RANTS
2 25 Speaker of the House

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2 27 _____
2 28 JOHN P. KIBBIE
2 29 President of the Senate
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2 31 I hereby certify that this bill originated in the House and
2 32 is known as House File 870, Eighty-first General Assembly.

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2 35 _____
3 1 MARGARET THOMSON
3 2 Chief Clerk of the House

3 3 Approved _____, 2005

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3 7 THOMAS J. VILSACK
3 8 Governor